

governor's alliance on substance abuse for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 58. LIHEAP FUNDING — DISCONNECTION PROHIBITION. It is the intent of the general assembly that if the governor determines federal funds are insufficient to adequately provide for certification of eligibility for the low-income home energy assistance program by the community action agencies during the federal fiscal year which commences October 1, 1997, the Iowa utilities board shall issue an order prohibiting disconnection of service from November 1 through April 1 by a regulated public utility furnishing gas or electricity to households whose income falls at or below one hundred fifty percent of the federal poverty level as established by the United States office of management and budget. The board shall promptly adopt rules in accordance with section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", to implement this requirement. The energy assistance bureau of the department of human rights, in consultation with the community action agencies, shall certify to the utilities, households that are eligible for moratorium protection utilizing the agency's existing electronic database. Rules adopted under this section shall also be published as a notice of intended action as provided in section 17A.4.

Approved May 1, 1997

CHAPTER 203

APPROPRIATIONS — HEALTH AND HUMAN RIGHTS

H.F. 710

AN ACT relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. DEPARTMENT FOR THE BLIND. There is appropriated from the general fund of the state to the department for the blind for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,499,238
.....	FTEs	95.00

Sec. 2. CIVIL RIGHTS COMMISSION. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,110,372
.....	FTEs	35.00

If the anticipated amount of federal funding from the federal equal employment opportu-

nity commission and the federal department of housing and urban development exceeds \$625,000 during the fiscal year beginning July 1, 1997, the Iowa state civil rights commission may exceed their authorized staffing level to hire additional staff to process or to support the processing of employment and housing complaints during that fiscal year.

Sec. 3. DEPARTMENT OF ELDER AFFAIRS. There is appropriated from the general fund of the state to the department of elder affairs for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	512,362
.....	FTEs	28.00

2. For aging programs and services:

.....	\$	3,657,598
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All funds appropriated in this subsection shall be received and disbursed by the director of elder affairs for aging programs and services. These funds shall not be used by the department for administrative purposes, and not more than \$151,654 shall be used for area agencies on aging administrative purposes, and shall be used for citizens of Iowa over 60 years of age for case management for the frail elderly, mental health outreach, Alzheimer's support, retired senior volunteer program, care review committee coordination, employment, adult day care, respite care, chore services, telephone reassurance, information and assistance, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which make residences accessible to the physically handicapped. It is the intent of the general assembly that the Iowa chapters of the Alzheimer's association and the case management program for frail elders shall collaborate and cooperate fully to assist families in maintaining family members with Alzheimer's disease in the community for the longest period of time possible. Funds appropriated in this subsection may be used to supplement federal funds under federal regulations. To receive funds appropriated in this subsection, a local area agency on aging shall match the funds with funds from other sources according to rules adopted by the department. Funds appropriated in this subsection may be used for elderly services not specifically enumerated in this subsection only if approved by an area agency on aging for provision of the service within the area.

3. The department shall maintain policies and procedures regarding Alzheimer's support and the retired senior volunteer program.

Sec. 4. GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE. There is appropriated from the general fund of the state to the governor's alliance on substance abuse for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	379,443
.....	FTEs	10.00

2. For the Iowa substance abuse clearinghouse in Cedar Rapids for staff, materials, and operating expenses:

.....	\$	32,894
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Sec. 5. DEPARTMENT OF PUBLIC HEALTH. There is appropriated from the general fund of the state to the Iowa department of public health for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. a. PLANNING AND ADMINISTRATION DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,878,409
.....	FTEs	64.40

(1) Of the funds appropriated in this lettered paragraph, \$738,185 shall be used for the chronic renal disease program. The types of assistance available to eligible recipients under the program may include insurance premiums, travel reimbursement, and prescription and nonprescription drugs. The program expenditures shall not exceed this allocation. If projected expenditures will exceed the allocation, the department shall establish by administrative rule a mechanism to reduce financial assistance under the renal disease program in order to keep expenditures within the amounts allocated.

(2) Hospitals shall not collect fees for birth certificates in excess of the amounts as set out in the administrative rules of the Iowa department of public health.

(3) Of the funds appropriated in this lettered paragraph, \$118,055 shall be used to provide regulatory oversight of accountable health plans.

(4) Of the funds appropriated in this lettered paragraph, \$46,658 shall be used for the purchase, verification, updating, and storage of health data information.

(5) The department shall compile, correlate, and disseminate data from health care providers, the state medical assistance program, third-party payors, associations, and other appropriate sources in furtherance of the purpose and intent of this appropriation.

(6) The department shall request and receive information from other state agencies similar to that required of third-party payors for the purpose of dissemination of health data. The department may enter into agreements for studies on health-related questions and provide or make data available to health care providers, health care subscribers, third-party payors, and the general public. The department may purchase data for the purpose of dissemination of health data information. The department shall assure the confidentiality of the data collected from other state agencies, hospitals, and third-party payors under chapter 22. The compilation of data information prepared for release or dissemination from the data collected shall be a public record. The department shall adopt administrative rules to address a contracting process, define confidential information, set fees to be charged for data, and prescribe the forms upon which the information is to be made available.

b. PROFESSIONAL LICENSURE

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,007,538
.....	FTEs	15.00

The director of public health, when estimating expenditure requirements for the boards funded under this paragraph, shall base the budget on 85 percent of the average annual fees generated for the previous two fiscal years. The department shall confer with the boards funded under this paragraph in estimating the boards' annual fee generation and administrative costs. When the department develops each board's annual budget, a board's budget shall not exceed 85 percent of fees collected, based on the average of the previous two fiscal years. The department may expend funds in addition to amounts budgeted, if those additional expenditures are directly the result of a scope of practice review committee or unanticipated litigation costs arising from the discharge of the board's regulatory duties. Before the department expends or encumbers funds for a scope of practice review committee or an amount in excess of the funds budgeted for a board, the director of the department of management shall approve the expenditure or encumbrance. The amounts necessary to fund the unanticipated litigation in the fiscal year beginning July 1, 1997, shall not exceed 5 percent of the average annual fees generated by the boards for the previous two fiscal years.

c. EMERGENCY MEDICAL SYSTEMS

For salaries, support, maintenance, and emergency medical services training of emergency medical services (EMS) personnel at the state, county, and local levels, and for not more than the following full-time equivalent positions:

.....	\$	1,030,954
.....	FTEs	13.00

If a person in the course of responding to an emergency renders aid to an injured person and becomes exposed to bodily fluids of the injured person, that emergency responder shall be entitled to hepatitis testing and immunization in accordance with the latest available medical technology to determine if infection with hepatitis has occurred. The person shall be entitled to reimbursement from the EMS funds available under this lettered paragraph only if the reimbursement is not available through any employer or third-party payor.

2. HEALTH PROTECTION DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,198,030
.....	FTEs	75.00

b. Of the funds appropriated in this subsection, \$75,000 shall be used for chlamydia testing.

c. Of the funds appropriated in this subsection, \$39,547 shall be used for the lead abatement program.

d. The state university of Iowa hospitals and clinics shall not receive indirect costs from the funds appropriated in this subsection.

3. SUBSTANCE ABUSE AND HEALTH PROMOTION DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	656,216
.....	FTEs	39.60

(1) The division shall continue to coordinate with substance abuse treatment and prevention providers regardless of funding source to assure the delivery of substance abuse treatment and prevention programs.

(2) The commission on substance abuse, in conjunction with the division, shall continue to coordinate the delivery of substance abuse services involving prevention, social and medical detoxification, and other treatment by medical and nonmedical providers to uninsured and court-ordered substance abuse patients in all counties of the state.

b. Of the funds appropriated in this subsection, \$15,000 is allocated to support the surveillance and reporting of disabilities suffered by persons engaged in agriculture resulting from diseases or injuries, including identifying the amount and severity of agriculture-related injuries and diseases in the state, identifying causal factors associated with agriculture-related injuries and diseases, and evaluating the effectiveness of intervention programs designed to reduce injuries and diseases. The department shall cooperate with the department of agriculture and land stewardship, Iowa state university of science and technology, and the college of medicine at the state university of Iowa in accomplishing these duties.

c. For program grants:

.....	\$	8,390,159
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(1) Of the funds appropriated in this lettered paragraph, \$193,500 shall be used for the provision of aftercare services for persons completing substance abuse treatment.

(2) Of the funds appropriated in this lettered paragraph, \$950,000 shall be used by the Iowa department of public health to continue the integrated substance abuse managed care system.

4. FAMILY AND COMMUNITY HEALTH DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,466,136
.....	FTEs	72.00

(1) Of the funds appropriated in this lettered paragraph, at least \$587,865 shall be allocated by the division for the birth defects and genetics counseling program and of these funds, \$279,402 is allocated for regional genetic counseling services contracted from the state university of Iowa hospitals and clinics under the control of the state board of regents.

(2) Of the funds appropriated in this lettered paragraph, the following amounts shall be allocated to the state university of Iowa hospitals and clinics under the control of the state board of regents for the following programs under the Iowa specialized child health care services:

(a) Mobile and regional child health specialty clinics:

..... \$ 392,931

The regional clinic located in Sioux City shall maintain a social worker component to assist the families of children participating in the clinic program.

Of the funds allocated in this subparagraph subdivision, \$97,937 shall be used for a specialized medical home care program providing care planning and coordination of community support services for children who require technical medical care in the home.

(b) Muscular dystrophy and related genetic disease programs:

..... \$ 115,613

(c) Statewide perinatal program:

..... \$ 61,693

(3) The birth defects and genetic counseling service shall apply a sliding fee scale to determine the amount a person receiving the services is required to pay for the services. These fees shall be considered repayment receipts and used for the program.

(4) The state university of Iowa hospitals and clinics shall not receive indirect costs from the funds allocated in this lettered paragraph.

(5) Of the funds appropriated in this lettered paragraph, \$1,105,461 shall be used for maternal and child health services.

(6) If during the fiscal year, the federal government incorporates the special supplemental nutrition program for women, infants, and children into a block grant, the department of human services, Iowa department of public health, or any other state agency which administers the block grant shall require a competitive bid process for infant formula purchased by or for families under the block grant.

(7) The Iowa department of public health shall administer the statewide maternal and child health program, conduct mobile and regional child health specialty clinics, and conduct other activities to improve the health of low-income women and children and to promote the welfare of children with actual or potential handicapping conditions and chronic illnesses in accordance with the requirements of Title V of the federal Social Security Act.

(8) The department shall continue efforts to realize the "Healthy Iowans 2000" goal of promoting prevention and health promotion to improve the quality* of life of Iowans and to hold down health care costs.

(9) Of the funds appropriated in this lettered paragraph, \$165,391 shall be allocated for the office of rural health to provide technical assistance to rural areas in the area of health care delivery.

(10) Of the funds appropriated in this lettered paragraph, \$182,028 shall be used to develop, implement, and maintain rural health provider recruitment and retention efforts.

b. Sudden infant death syndrome autopsies:

For reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome required under section 331.802, subsection 3, paragraph "j":

..... \$ 9,675

c. For grants to the counties for public health nursing, home care aide/chore, and senior health programs:

..... \$ 11,683,924

The local board of health and local board of supervisors shall jointly determine which one shall be a contractor for these funds in a single contract beginning July 1, 1997. For those counties participating in a multi-county project, each local board of health and local board of supervisors of participating counties shall jointly agree upon the county that will serve as the contractor with the department. The funds appropriated in this lettered paragraph shall be allocated as follows:

* The word "quality" probably intended

(1) For the public health nursing program:

..... \$ 2,511,871

(a) Funds allocated in this subparagraph for the public health nursing program shall be used to maintain and expand the existing public health nursing program for elderly and low-income persons with the objective of preventing or reducing inappropriate institution- alization. The funds shall not be used for any other purpose. As used in this subparagraph, "elderly person" means a person who is 60 years of age or older and "low-income person" means a person whose income and resources are below the guidelines established by the department.

(b) One-fourth of the total amount to be allocated shall be divided so that an equal amount is available for use in each county in the state. Three-fourths of the total amount to be allocated shall be divided so that the share available for use in each county is proportionate to the number of elderly and low-income persons living in that county in relation to the total number of elderly and low-income persons living in the state.

(c) In order to receive allocations under this subparagraph, the local boards of health and board of supervisors having jurisdiction shall jointly prepare a proposal for the use of the allocated funds available for that jurisdiction that will provide the maximum benefits of expanded public health nursing care to elderly and low-income persons in the jurisdiction. After approval of the proposal by the department, the department shall enter into a contract with the local board of health or board of supervisors. The contractor shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, or a suitable local gov- ernmental body to use the allocated funds to provide public health nursing care. The con- tractor shall make an effort to prevent duplication of services.

(d) If by July 30, 1997, the department is unable to conclude contracts for use of the allocated funds in a county, the department shall consider the unused funds allocated under this subparagraph an unallocated pool. If the unallocated pool is \$50,000 or more, it shall be reallocated to the counties in substantially the same manner as the original allocations. The reallocated funds are available for use in those counties during the period beginning January 1 and ending June 30 of the fiscal year. If the unallocated pool is less than \$50,000 for the fiscal year, the department may allocate the moneys to counties with demonstrated special needs for public health nursing.

(e) The department shall adopt rules governing the expenditure of funds allocated by this subparagraph. The rules shall require each local agency receiving funds to establish and use a sliding fee scale for those persons able to pay for all or a portion of the cost of the care.

(f) The department shall evaluate the success of the public health nursing program. The evaluation shall include the extent to which the program reduced or prevented inappropriate institutionalization, the extent to which the program increased the availability of public health nursing care to elderly and low-income persons, and the extent of public health nursing care provided to elderly and low-income persons.

(2) For the home care aide/chore program:

..... \$ 8,586,716

Funds allocated in this subparagraph for the home care aide/chore program shall be used to provide home care aide services with emphasis on services to elderly and persons below the poverty level and children and adults in need of protective services with the objective of preventing or reducing inappropriate institutionalization. In addition for each fiscal year, up to 15 percent of the funds allocated in this subparagraph may be used to provide chore services. The funds shall not be used for any other purposes. In providing services to elderly persons, the service provider shall coordinate efforts with the integrated case management for the frail elderly program of the department of elder affairs. As used in this lettered paragraph:

(a) "Chore services" means services provided to individuals or families, who, due to inca- pacity, or illness, are unable to perform certain home maintenance functions. The services include but are not limited to yard work such as mowing lawns, raking leaves, and shovel- ing walks; window and door maintenance such as hanging screen windows and doors,

replacing windowpanes, and washing windows; and minor repairs to walls, floors, stairs, railings, and handles. It also includes heavy house cleaning which includes cleaning attics or basements to remove fire hazards, moving heavy furniture, extensive wall washing, floor care or painting, and trash removal.

(b) "Elderly person" means a person who is 60 years of age or older.

(c) "Home care aide services" means services intended to enhance the capacity of household members to attain or maintain the independence of the household members and provided by trained and supervised workers to individuals or families, who, due to the absence, incapacity, or limitations of the usual homemaker, are experiencing stress or crisis. The services include but are not limited to essential shopping, housekeeping, meal preparation, child care, respite care, money management and consumer education, family management, personal services, transportation and providing information, assistance, and household management.

(d) "Low-income person" means a person whose income and resources are below the guidelines established by the department.

(e) "Protective services" means those home care aide services intended to stabilize a child's or an adult's residential environment and relationships with relatives, caretakers, and other persons or household members in order to alleviate a situation involving abuse or neglect or to otherwise protect the child or adult from a threat of abuse or neglect.

The amount allocated in this subparagraph shall be allocated for use in the counties of the state. Fifteen percent of the amount shall be divided so that an equal amount is available for use in each county in the state. The following percentages of the remaining amount shall be allocated to each county according to that county's proportion of residents with the following demographic characteristics: 60 percent according to the number of elderly persons living in the county, 20 percent according to the number of persons below the poverty level living in the county, and 20 percent according to the number of substantiated cases of child abuse in the county during the three most recent fiscal years for which data is available.

In order to receive allocations in this subparagraph, the county board of supervisors and local boards of health, after consultation with the human services county cluster boards, area agency on aging advisory council, local office of the department of human services, and other in-home health care provider agencies in the jurisdiction, shall jointly prepare a proposal for the use of the allocated funds available for that jurisdiction that will provide the maximum benefits of home care aide services to elderly and low-income persons and children and adults in need of protective services in the jurisdiction. An agency requesting service or financial information about a current subcontractor shall provide similar information concerning the agency's own home care aide or chore services program to the current subcontractor. The proposal may provide that a maximum of 15 percent of the allocated funds will be used to provide chore services. The proposal shall include a statement assuring that children and adults in need of protective services are given priority for home care aide services and that the appropriate local agencies have participated in the planning for the proposal. After approval of the proposal by the department, the department shall enter into a contract with the county board of supervisors or local board of health, as decided locally. The contractor shall contract with a nonprofit nurses' association, an independent nonprofit agency, the department of human services, or a suitable local governmental body to use the allocated funds to provide home care aide services and chore services providing that the subcontract requires any service provided away from the home to be documented in a report available for review by the department, and that each home care aide subcontracting agency shall maintain the direct service workers' time assigned to direct client service at 70 percent or more of the workers' paid time and that not more than 35 percent of the total cost of the service be included in the combined costs for service administration and agency administration. The subcontract shall require that each home care aide subcontracting agency shall pay the employer's contribution of social security and provide workers' compensation coverage for persons providing direct home care aide service and meet any other applicable legal requirements of an employer-employee relationship.

If by July 30, 1997, the department is unable to conclude contracts for use of the allocated funds in a county, the department shall consider the unused funds allocated under this subparagraph an unallocated pool. The department shall also identify any allocated funds which the counties do not anticipate spending during the fiscal year. If the anticipated excess funds available to any county are substantial, the department and the county may agree to return those excess funds, if the funds are other than program revenues, to the department, and if returned, the department shall consider the returned funds a part of the unallocated pool. The department shall, prior to February 15, 1998, reallocate the funds in the unallocated pool among the counties in which the department has concluded contracts under this subparagraph. The department shall also review the first 10 months' expenditures for each county in May of the fiscal year, to determine if any counties possess contracted funds which they do not anticipate spending. If such funds are identified and the county agrees to release the funds, the released funds will be considered a new reallocation pool. The department may, prior to June 1, 1998, reallocate funds from this new reallocation pool to those counties which have experienced a high utilization of protective service hours for children and dependent adults.

The department shall adopt rules governing the expenditure of funds allocated under this subparagraph. The rules shall require each local agency receiving funds to establish and use a sliding fee scale for those persons able to pay for all or a portion of the cost of the services and shall require the payments to be applied to the cost of the services. The department shall also adopt rules for standards regarding training, supervision, recordkeeping, appeals, program evaluation, cost analysis, and financial audits, and rules specifying reporting requirements.

The department shall annually evaluate the success of the home care aide/chore program. The evaluation shall include a description of the program and its implementation, the extent of local participation, the extent to which the program reduced or prevented inappropriate institutionalization, the extent to which the program provided or increased the availability of home care aide services to elderly and low-income persons and children and adults in need of protective services, any problems and recommendations concerning the program, and an analysis of the costs of services across the state.

(3) For the senior health program:

..... \$ 585,337

The allocation made in this subparagraph for the senior health program shall be distributed by a formula to senior health programs located in counties which provide funding on a matching basis for the senior health program.

(4) Notwithstanding the program allocations under subparagraphs (1), (2), and (3), a county may submit to the department a plan for an alternate allocation of funding which provides for assuring the delivery of existing services and the essential public health services based on an assessment of community needs, and targeted populations to be served under the alternate plan. The department shall adopt rules to administer these programs. The department may establish demonstration projects which provide for an alternate allocation of funds based upon the proposed plan to provide essential public health services as determined by the community health assessment and targeted populations to be served.

d. For the physician care for children program:

..... \$ 411,187

The physician services shall be subject to managed care and selective contracting provisions and shall be used to provide for the medical treatment of children and shall include coverage of diagnostic procedures, prescription drugs, and physician-ordered treatments necessary to treat an acute condition. Services provided under this lettered paragraph shall be reimbursed according to medical assistance reimbursement rates.

e. For primary and preventive health care for children:

..... \$ 75,000

Funds appropriated in this lettered paragraph shall be used for the public purpose of

providing a renewable grant, following a request for proposals, to a statewide charitable organization within the meaning of section 501 (c) (3) of the Internal Revenue Code which was organized prior to April 1, 1989, and has as one of its purposes the sponsorship or support for programs designed to improve the quality, awareness, and availability of health care for the young, to serve as the funding mechanism for the provision of primary health care and preventive services to children in the state who are uninsured and who are not eligible under any public plan of health insurance, provided all of the following conditions are met:

(1) The organization shall provide a match of four dollars in advance of each state dollar provided.

(2) The organization coordinates services with new or existing public programs and services provided by or funded by appropriate state agencies in an effort to avoid inappropriate duplication of services and ensure access to care to the extent as is reasonably possible. The organization shall work with the Iowa department of public health, family and community health division, to ensure duplication is minimized.

(3) The organization's governing board includes in its membership representatives from the executive and legislative branches of state government.

(4) Grant funds are available as needed to provide services and shall not be used for administrative costs of the department or the grantee.

f. For the Iowa healthy family program under section 135.106:

..... \$ 952,000

(1) Of the funds appropriated in this lettered paragraph, not more than \$165,000 shall be used to continue the existing infant mortality and morbidity prevention pilot projects in Polk, Scott, and Woodbury counties with no more than 15 percent being used for administrative expenses.

(2) Of the funds appropriated in this lettered paragraph, not more than \$25,000 shall be used to continue supporting multidisciplinary research into the cause of individual infant deaths in the state and shall be used solely for research purposes.

(3) Of the funds appropriated in this lettered paragraph, not more than \$140,000 shall be used to continue existing mid-level practitioners demonstration projects in Black Hawk, Polk, and Scott counties. The funds shall be issued in three equal grant amounts and shall be used to promote the use of mid-level practitioners, which includes obstetrical-gynecological nurse practitioners and family nurse practitioners focusing on maternal and child health, to improve access to prenatal care and obstetrical services.

(4) The remaining funds appropriated in this lettered paragraph shall be used for the healthy opportunities for parents to experience success program. Any new funds or funds in excess of that necessary to continue existing programs shall be used by the department to expand the program to counties with greatest need and the capacity to deliver the services. Any funds contracted to agencies under subparagraphs (1), (2), and (3) which are projected to be unused at the close of the fiscal year shall be allowed to be reallocated to the healthy opportunities for parents to experience success program.

The department shall develop a plan during the fiscal year beginning July 1, 1997, and ending June 30, 1998, for expansion of the healthy opportunities for parents to experience success program to all counties throughout the state.

g. For primary care provider recruitment and retention endeavors:

..... \$ 235,000

h. For the prospective minor parents decision-making assistance program under chapter 135L, and for not more than the following full-time equivalent positions:

..... \$ 28,930
..... FTEs 1.00

5. STATE BOARD OF DENTAL EXAMINERS

For salaries, support, maintenance, miscellaneous purposes, and not more than the following full-time equivalent positions:

.....	\$	304,500
.....	FTEs	4.00

6. STATE BOARD OF MEDICAL EXAMINERS

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,203,648
.....	FTEs	18.00

7. STATE BOARD OF NURSING EXAMINERS

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,006,293
.....	FTEs	18.00

8. STATE BOARD OF PHARMACY EXAMINERS

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	741,909
.....	FTEs	12.00

9. The state board of medical examiners, the state board of pharmacy examiners, the state board of dental examiners, and the state board of nursing examiners shall prepare estimates of projected receipts to be generated by the licensing, certification, and examination fees of each board as well as a projection of the fairly apportioned administrative costs and rental expenses attributable to each board. Each board shall annually review and adjust its schedule of fees so that, as nearly as possible, projected receipts equal projected costs.

10. The state board of medical examiners, the state board of pharmacy examiners, the state board of dental examiners, and the state board of nursing examiners shall retain their individual executive officers, but are strongly encouraged to share administrative, clerical, and investigative staffs to the greatest extent possible.

11. A local health care provider or nonprofit health care organization seeking grant moneys administered by the Iowa department of public health shall provide documentation that the provider or organization has coordinated its services with other local entities providing similar services.

12. Consolidation of state funding sources for public health nursing, home care aide, and the senior health program into a single contract for each county, as jointly agreed upon by the county board of supervisors and any boards of health within the county, shall be implemented statewide beginning July 1, 1997. It shall be the department's goal to add federal funding for health promotion as federal funds become available. The department shall submit a report to the general assembly on or before January 2, 1998, which shall include a progress evaluation of the first year of the statewide contract for each county beginning July 1, 1997. The department may include other state and federal funding sources with the understanding that local, city, or county funds not be supplanted.

Sec. 6. PILOT PROJECT — SCOPE OF PRACTICE REVIEW COMMITTEES.

1. The Iowa department of public health shall, to the extent possible with moneys made available in the appropriations in this health Act for professional licensure boards, conduct a study of utilizing scope of practice review committees to evaluate and make recommendations to the general assembly, and to the appropriate licensure boards on the following issues:

- a. Requests from practitioners seeking to become newly licensed health professionals or to establish their own licensure boards.
- b. Request from health professionals seeking to expand or narrow the scope of practice of a health profession.
- c. Unresolved administrative rulemaking disputes between licensure boards.

2. A scope of practice review committee established under this section shall evaluate the issues specified in subsection 1 and make recommendations to the general assembly pursu-

ant to subsection 3 based on the following standards and guidelines:

a. It is in the best interest of the public that scope of practice review committees be established to monitor scope of practice issues and concerns and promote consistency between licensure boards.

b. The proposed change does not pose a significant new danger to the public.

c. Enacting the proposed change will benefit the health, safety, or welfare of the public.

d. The public cannot be effectively protected by other more cost-effective means.

3. A pilot project utilizing scope of practice review committees shall be established based on the model and findings of the health professions committee of the Iowa health regulation task force. The pilot project shall commence on July 1, 1997, and shall end on June 30, 2000. The director of the Iowa department of public health, in consultation with members of the general assembly, the administrative rules review committee, and the professional licensure boards, shall select the issues subject to a scope of practice review.

Each scope of practice review committee shall be limited to five members as follows: one member representing the profession seeking licensure, a new board, or a change in scope of practice; one member of the health profession directly impacted by, or opposed to, the proposed change, one impartial health professional who is not directly or indirectly affected by the proposed change; and two impartial members of the general public. The department shall submit a progress report to the governor and the general assembly by January 1, 1998, and shall conduct a complete evaluation of the scope of practice review committee pilot project by January 1, 2000.

The department shall adopt rules in accordance with chapter 17A to implement the pilot project in accordance with the provisions of this section.

Sec. 7. DEPARTMENT OF HUMAN RIGHTS. There is appropriated from the general fund of the state to the department of human rights for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CENTRAL ADMINISTRATION DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	194,370
.....	FTEs	6.60

2. DEAF SERVICES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	303,229
.....	FTEs	7.00

The fees collected by the division for provision of interpretation services by the division to obligated agencies shall be disbursed pursuant to the provisions of section 8.32, and shall be dedicated and used by the division for continued and expanded interpretation services.

3. PERSONS WITH DISABILITIES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	101,354
.....	FTEs	2.00

4. LATINO AFFAIRS DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	142,490
.....	FTEs	3.00

5. STATUS OF WOMEN DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	328,900
.....	FTEs	3.00

a. Of the funds appropriated in this subsection, at least \$125,775 shall be spent for the displaced homemaker program.

b. Of the funds appropriated in this subsection, at least \$42,570 shall be spent for domestic violence and sexual assault-related grants.

6. STATUS OF AFRICAN-AMERICANS DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	114,266
.....	FTEs	2.00

7. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	385,099
.....	FTEs	8.91

a. The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

b. Of the funds appropriated in this subsection, at least \$36,300 shall be spent for expenses relating to the administration of federal funds for juvenile assistance. It is the intent of the general assembly that the department of human rights employ sufficient staff to meet the federal funding match requirements established by the federal office for juvenile justice delinquency prevention. The governor's advisory council on juvenile justice shall determine the staffing level necessary to carry out federal and state mandates for juvenile justice.

8. COMMUNITY GRANT FUND

For the community grant fund established under section 232.190 for the continuation of existing grants for the fiscal year beginning July 1, 1997, and ending June 30, 1998, to be used for the purposes of the community grant fund and for not more than the following full-time equivalent positions:

.....	\$	1,600,494
.....	FTEs	1.40

An application from a community to receive a third consecutive year of funding from this program may receive priority consideration by the division in awarding of grants. An application from a community that has not previously received funding from this program may be considered eligible for a grant award. An application from a community for a fourth consecutive year of funding may also be considered eligible. The division's grant award criteria, shall include an assessment of third and fourth year applications' explanation of past and future plans to increase alternative support for community juvenile crime prevention initiatives, and a demonstration of community collaboration, not merely disbursements of funds to various organizations. The grant award criteria shall also include a demonstration of significant progress toward achieving past project objectives such as process and impact evaluation objectives, including objectives related to the number of persons served, and behavioral changes. Letters of support shall include specific commitments and shall be binding. The division shall encourage all potential applicants to consider the use of grant funds to provide assessment and intervention services for high-risk youth and their families, and to additionally consider the use of grant funds to support tobacco, alcohol, and other drug prevention education programs in the applicant's communities.

9. SHARED STAFF. Except for the persons with disabilities division which shall be administered by the director of the department of human rights, the divisions of the department of human rights shall retain their individual administrators, but shall share staff to the greatest extent possible.

Sec. 8. COMMISSION OF VETERANS AFFAIRS. There is appropriated from the general fund of the state to the commission of veterans affairs for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	292,038
.....	FTEs	5.00

The commission of veterans affairs may use the gifts accepted by the chairperson of the commission of veterans affairs, or designee, and other resources available to the commission for use at its Camp Dodge office. The commission shall report annually to the governor and the general assembly on monetary gifts received by the commission for the Camp Dodge office.

2. WAR ORPHANS

For the war orphans educational aid fund established pursuant to chapter 35:

.....	\$	4,800
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3. IOWA VETERANS HOME

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	40,361,545
.....	FTEs	800.82

a. The Iowa veterans home may use the gifts accepted by the chairperson of the commission of veterans affairs and other resources available to the commission for use at the Iowa veterans home.

b. If medical assistance revenues are expanded at the Iowa veterans home, and this expansion results in medical assistance reimbursements which exceed the amount budgeted for that purpose in the fiscal year beginning July 1, 1997, and ending June 30, 1998, the Iowa veterans home may expend the excess amounts to exceed the number of full-time equivalent positions authorized for the purpose of meeting related certification requirements or to provide additional beds. The expenditure of additional funds received, as outlined in this paragraph, is subject to the approval by the department of management.

Sec. 9. VITAL RECORDS. The vital records modernization project as enacted in 1993 Iowa Acts, chapter 55, section 1, as amended by 1994 Iowa Acts, chapter 1068, section 8, shall be extended until June 30, 1998, and the increased fees to be collected pursuant to that project shall continue to be collected until June 30, 1998.

Sec. 10. COMMISSION ON COMMUNITY ACTION AGENCIES — FEDERAL FUNDING. Of the funds appropriated to the division of community action agencies of the department of human rights for administration in 1997 Iowa Acts, Senate File 240, if enacted,* \$3,366 is allocated for the expenses of the commission on community action agencies.

Sec. 11. Section 99E.10, subsection 1, paragraph a, unnumbered paragraph 2, Code 1997, is amended by striking the unnumbered paragraph.

Sec. 12. Section 125.21, subsection 1, Code 1997, is amended by striking the subsection.

Sec. 13. Section 135.22A, subsection 6, paragraph f, Code 1997, is amended by striking the paragraph.

Sec. 14. Section 135.107, subsection 5, Code 1997, is amended by striking the subsection.

* Chapter 202 herein

Sec. 15. Section 235C.3, subsection 7, unnumbered paragraph 1, Code 1997, is amended by striking the unnumbered paragraph.

Sec. 16. Section 272C.4, subsection 2, paragraph b, Code 1997, is amended by striking the paragraph.

Sec. 17. 1993 Iowa Acts, chapter 158, section 3, subsection 1, paragraph f, is amended by striking the paragraph.

Sec. 18. Section 135.77, Code 1997, is repealed.

Sec. 19. Section 135L.4, Code 1997, is repealed.

Sec. 20. NEW SECTION. 144.45A COMMEMORATIVE BIRTH AND MARRIAGE CERTIFICATES.

Upon application and payment of a thirty-five dollar fee, the director may issue a commemorate* copy of a certificate of birth or a certificate of marriage. Fees collected pursuant to this section shall be deposited in the emergency medical services fund established in section 135.25 to support the development and enhancement of emergency medical services systems and emergency medical services for children.

Sec. 21. CONTINGENT PROVISION. Appropriations to the department of human rights for the fiscal year beginning July 1, 1997, and ending June 30, 1998, are contingent upon repeal or amendment of section 216A.5 to extend the repeal of the department.

Sec. 22. EFFECTIVE DATE. Section 9 of this Act, relating to the vital records modernization project, being deemed of immediate importance, shall take effect upon enactment.

Approved May 2, 1997

CHAPTER 204

COMPENSATION FOR PUBLIC EMPLOYEES

S.F. 551

AN ACT relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **STATE COURTS — JUSTICES, JUDGES, AND MAGISTRATES.**

1. The salary rates specified in subsection 2 are for the fiscal year beginning July 1, 1997, effective for the pay period beginning June 27, 1997, and for subsequent fiscal years until otherwise provided by the general assembly. The salaries provided for in this section shall be paid from funds appropriated to the judicial department from the salary adjustment fund or if the appropriation is not sufficient, from the funds appropriated to the judicial department pursuant to any Act of the general assembly.

2. The following annual salary rates shall be paid to the persons holding the judicial positions indicated during the fiscal year beginning July 1, 1997, effective with the pay period beginning June 27, 1997, and for subsequent pay periods.

a. Chief justice of the supreme court:

..... \$ 107,500

* The word "commemorative" probably intended